

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re the matter of:

GREGORY LEE WEST &
NAOMI RUTH WEST,

Debtor(s).

NO. 16 B 23845

JUDGE BRUCE W. BLACK

Chapter 13

OBJECTION TO CONFIRMATION

Now comes FORD MOTOR CREDIT COMPANY LLC, a creditor herein, by SHERMAN & PURCELL LLP, its attorneys, and for its objection to confirmation of the Debtors' proposed Chapter 13 plan respectfully represents as follows:

1. That FORD MOTOR CREDIT COMPANY LLC is a creditor of the Debtors with respect to a debt secured by a lien on a 2016 Ford Escape motor vehicle, with a net balance due as of the Petition date in the amount of \$30,570.09.
2. That the Debtors' plan provides that the Debtors will make current monthly payments as listed in Debtors' schedule J directly to FORD MOTOR CREDIT COMPANY LLC.
3. That any reference to Debtors' schedule J should be deleted from the plan, as schedule J can be amended at any time.
4. That the Debtors are seeking to obtain a discharge of their personal liability to FORD MOTOR CREDIT COMPANY LLC in this case, despite the fact this is long-term debt some of which will still be in existence at the anticipated conclusion of the Debtors' plan. Therefore, the Debtors' plan should specifically state that they will not receive a discharge from the indebtedness to FORD MOTOR CREDIT COMPANY LLC in this case.

5. That the Debtors' plan requires FORD MOTOR CREDIT COMPANY LLC to release its lien upon discharge, despite the fact there will still be obligations due and owing from the Debtors to FORD MOTOR CREDIT COMPANY LLC at that time.

6. That the Debtors' plan fails to require the Debtors to comply with all of the terms and provisions of the retail installment contract between the parties including, but not limited to, the maintenance of insurance on the vehicle.

7. That the correct contractual monthly payment is \$502.42.

8. That the Petition for Relief in this case was not filed in good faith and the Debtors' plan has not been proposed in good faith.

WHEREFORE, FORD MOTOR CREDIT COMPANY LLC prays that this Honorable Court enter an Order denying confirmation of the Debtors' proposed Chapter 13 plan, for entry of an Order dismissing this Chapter 13 case, and for such other and further relief as this Court may deem just and equitable.

FORD MOTOR CREDIT COMPANY LLC

BY: /s/ Michael L. Sherman
MICHAEL L. SHERMAN,
One of its Attorneys

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Atty. for FORD MOTOR CREDIT COMPANY LLC

CERTIFICATE OF SERVICE

I, the above signed attorney, certify that on July 28, 2016, I electronically filed the foregoing Objection to Confirmation with the Clerk of the Court using the ECF system which sends notifications of such filing to the following:

Mr. Joseph S. Davidson, Attorney for the Debtor
Mr. Glenn B. Stearns, Chapter 13 Trustee